

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BLACKIE FLORINCEO ALVAREZ, SR.,

No. 2:21-cv-01976-DJC-CKD

Plaintiff,

ORDER

AMADOR COUNTY SUPERIOR  
COURT, et al.,

Defendants.

Plaintiff, a state prisoner proceeding in forma pauperis, sought relief pursuant to 42 U.S.C. § 1983. Judgment was entered in this action on April 18, 2023. On April 24, 2023, Plaintiff constructively filed a notice of appeal. The Ninth Circuit Court of Appeals referred this matter back to the district court for the limited purpose of determining whether in forma pauperis status should continue on appeal or whether the appeal is frivolous or taken in bad faith. (ECF No. 70.)

The Federal Rules of Appellate Procedure provide as follows:

[A] party who has been permitted to proceed in an action in the district court in forma pauperis . . . may proceed on appeal in forma pauperis without further authorization unless . . . the district court shall certify that the appeal is not taken in good faith or shall find that the party is otherwise not entitled so to proceed . . . .

1 Fed. R. App. P. 24(a). After review of the record herein, the Court finds that Plaintiff's  
2 appeal is not taken in good faith. Accordingly, Plaintiff's in forma pauperis status is  
3 revoked.

4 Accordingly, IT IS HEREBY ORDERED that Plaintiff's in forma pauperis status is  
5 revoked. See Fed. R. App. P. 24(a).

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7 IT IS SO ORDERED.  
8 Dated: May 16, 2023

  
9 Hon. Daniel J. Calabretta  
10 UNITED STATES DISTRICT JUDGE

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